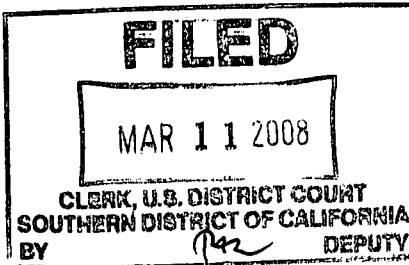


AUSA



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 82 15

UNITED STATES OF AMERICA)	Magistrate Case No.:
)	
Plaintiff,)	COMPLAINT FOR VIOLATION OF
)	
v.)	21 U.S.C. § 952 and 960
)	Importation of a Controlled
Amalia Rebecca LOYA, (1))	Substance (Felony)
Karla Heroína OCHOA-Martinez, (2))	
)	
Defendants)	

The undersigned complainant being duly sworn states:

That on or about March 10, 2008 within the Southern District of California, defendants Amalia Rebecca LOYA and Karla Heroína OCHOA-Martines, did knowingly and intentionally import approximately 41.00 kilograms (90.20 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Enrique Torres - Special Agent
U. S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 11th DAY OF MARCH 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 V.

3 Amalia Rebecca LOYA (1)

4 Karla Heroína OCHOA-Martinez (2)

5 STATEMENT OF FACTS

6 This complaint is based on the reports, documents, and notes
7 furnished to U. S. Immigration and Customs Enforcement Special
8 Agent Enrique Torregrosa.

9 On March 10, 2008, at approximately 1658 hours, Amalia Rebecca
10 LOYA entered the United States from the Republic of Mexico via the
11 Calexico, California West Port of Entry. LOYA was the driver of a
12 2006 Ford F-150 bearing California U.S. plate 8G10160. LOYA was
13 accompanied by her infant daughter and her sister-in-law Karla
14 Heroína OCHOA-Martinez.

15 Customs and Border Protection Officer (CBPO) R. Garcia
16 obtained negative Customs declarations from LOYA and OCHOA. During
17 CBPO Garcia's primary inspection, CBPO Garcia noticed that OCHOA
18 had an expired I-551 and escorted LOYA, OCHOA and the vehicle to
19 vehicle secondary lot for further inspection. At that time LOYA
20 asked CBPO Garcia if they could just go back into Mexico.

21 Upon arrival to the vehicle secondary lot CBPO E. Garcia
22 contacted LOYA and OCHOA and obtained negative Customs
23 declarations. CBPO E. Garcia asked LOYA about the vehicle she was
24 driving and her destination, to which she responded that it was her
25 daughter's father and she was going back home to Fort Irwin,
26 California. CBPO E. Garcia also asked LOYA about her trip to
27 Mexico and she stated she went to visit family for the weekend.
28 CBPO E. Garcia requested for CBP Canine Officer Ragsdale to screen
the vehicle utilizing his Human/Narcotic Detector Dog (HNDD). The

1 HNDD alerted to the spare tire of the vehicle.

2 A subsequent search of the spare tire of the vehicle by CBPO
3 E. Garcia revealed nine packages concealed within the spare tire of
4 the vehicle. The approximate weight of the packages was 41.00
5 kilograms (90.20 pounds). CBPO E. Garcia probed one package, which
6 produced a green leafy substance, which field-tested positive for
7 marijuana.

8 Special Agent Torregrosa read the Miranda Rights to LOYA and
9 OCHOA which they understood and waived agreeing to answer
10 questions. LOYA stated that her boyfriend offered her \$2,500.00 to
11 smuggle what she thought it was drugs. OCHOA stated she overheard
12 her brother offer LOYA money to smuggle something into the United
13 States, OCHOA stated that LOYA offered her some money to smuggle
14 what she thought it was drugs into the United States.